(Official Form 1) (04/07)

	ED STATES BANKRUPTCY C COUTHERN DISTRICT OF TEXA HOUSTON DIVISION		Voluntary Petition		
Name of Debtor (if individual, enter Last, First, N Smith, David Andrew	Aiddle):	Name of Joint Debtor (Spouse) (Last, First, M	iddle):		
All Other Names used by the Debtor in the last (include married, maiden, and trade names):  dba Worldwide Technologies	8 years	All Other Names used by the Joint Debtor in th (include married, maiden, and trade names):	ie last 8 years		
Last four digits of Soc. Sec./Complete EIN or o state all): xxx-xx-9240	ther Tax I.D. No. (if more than one,	Last four digits of Soc. Sec./Complete EIN or o state all):	other Tax I.D. No. (if more than one,		
Street Address of Debtor (No. and Street, City, 1800 Holleman Apt. 1423 College Station, TX	and State):	Street Address of Joint Debtor (No. and Street	; City, and State):		
	ZIP CODE 77840		ZIP CODE		
County of Residence or of the Principal Place of <b>Brazos</b>	f Business:	County of Residence or of the Principal Place	of Business:		
Mailing Address of Debtor (if different from street 1800 Holleman Apt. 1423 College Station, TX	et address):	Mailing Address of Joint Debtor (if different from	m street address):		
	ZIP CODE 77840		ZIP CODE		
Location of Principal Assets of Business Debtor	(if different from street address above):		ZIP CODE		
T (81)	N. (D.)				
Type of Debtor (Form of Organization) (Check one box.)	Nature of Business (Check one box.) Health Care Business	Chapter of Bankruptcy Coo			
<ul> <li>✓ Individual (includes Joint Debtors)         See Exhibit D on page 2 of this form.</li> <li>☐ Corporation (includes LLC and LLP)</li> <li>☐ Partnership</li> <li>☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker Clearing Bank Other  Tax-Exempt Entity (Check box, if applicable.) Debtor is a tax-exempt organization	✓ Chapter 7  Chapter 9  Chapter 11  Chapter 12  Chapter 13  Nature of Debts (C  Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house-	Chapter 15 Petition for Recognition of a Foreign Main Proceeding  Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  Check one box)  Debts are primarily business debts.		
	under Title 26 of the United States Code (the Internal Revenue Code).	hold purpose."			
Filing Fee (Che	ck one box)	Check one box:  Chapter 11  Debtor is a small business debtor as defi			
Full Filing Fee attached  Filing Fee to be paid in installments (appliation for the court's consider unable to pay fee except in installments.  Filing Fee waiver requested (applicable to attach signed application for the court's county of the	ation certifying that the debtor is Rule 1006(b). See Official Form 3A.  chapter 7 individuals only). Must	Debtor is not a small business debtor as  Check if:  Debtor's aggregate noncontigent liquidat insiders or affiliates) are less than \$2,190  Check all applicable boxes:  A plan is being filed with this petition  Acceptances of the plan were solicited p	defined in 11 U.S.C. § 101(51D).  ted debts (excluding debts owed to 0,000.		
of creditors, in accordance with 11 U.S.C. § 1126(b).  Statistical/Administrative Information  THIS SPACE IS FOR COURT USE ONLY					
Debtor estimates that funds will be available.					
there will be no funds available for distribu	roperty is excluded and administrative expension to unsecured creditors.	anses para,			
Estimated Number of Creditors  1- 50- 100- 200- 49 99 199 999  2	1,000- 5,001- 10,001- 5,000 10,000 25,000	25,001- 50,001- OVER 50,000 100,000 100,000			
Estimated Assets  \$\sum \\$0 to  \\$10,000 to  \\$100,000	\$100,000 to \$1 million to \$100 million				
Estimated Debts  \$0 to \$50,000 to \$100,000	☑ \$100,000 to ☐ \$1 million to \$100 million	More than \$100 million			

(Official Form 1) (04/07) FORM B1, Page 2 **David Andrew Smith Voluntary Petition** Name of Debtor(s): (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None Location Where Filed: Case Number: Date Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: None District: Relationship: Judae: Exhibit B Exhibit A (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts.) 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) I, the attorney for the petitioner named in the foregoing petition, declare that I have of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by Exhibit A is attached and made a part of this petition. 11 U.S.C. § 342(b). X /s/ Roderick J. Arnic 08/14/2007 Roderick J. Arnic Date **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition.  $\overline{\mathbf{A}}$ No. **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding (in a federal or state court) in this District, or the interests of the parties will be served in regard to the relief sought in this District. Statement by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Official Form 1) (04/07)	FORM B1, Page 3
Voluntary Petition	Name of Debtor(s): David Andrew Smith
(This page must be completed and filed in every case)	
Sig	ınatures
Signature(s) of Debtor(s) (Individual/Joint)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under	I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.
each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).	(Check only one box.)  I request relief in accordance with chapter 15 of title 11, United States Code.  Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Pursuant to 11 U.S.C. § 1511, United States Code, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.
X /s/ David Andrew Smith	
David Andrew Smith	X
X	(Signature of Foreign Representative)
Telephone Number (If not represented by an attorney)	(Printed Name of Foreign Representative)
<b>08/14/2007</b> Date	(Date)
Signature of Attorney	Signature of Non-Attorney Bankruptcy Petition Preparer
X /s/ Roderick J. Arnic  Roderick J. Arnic Bar No. 24004529	I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and
Garner & Arnic, LLP 1314 Texas Avenue Suite 710 Houston, Texas 77002	information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.
Phone No.(713) 224-1774 Fax No.(713) 224-1780	Printed Name and title, if any, of Bankruptcy Petition Preparer
08/14/2007 Date	Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.	
The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.	Address X
X	Date Signature of bankruptcy petiton preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.
Printed Name of Authorized Individual	Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:
Title of Authorized Individual	
Date	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
	A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Form B6A (10/05)

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Case No.	
	(if known)

## **SCHEDULE A - REAL PROPERTY**

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint Or Community	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or Exemption	Amount Of Secured Claim
None				

(Report also on Summary of Schedules)

Form B6B (10/05)

In re David Andrew Smith

Case No.	
	(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
1. Cash on hand.  2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.  3. Security deposits with public utilities, telephone companies, land-	x	Checking account at USAA	-	\$200.00
lords, and others.  4. Household goods and furnishings, including audio, video and computer equipment.		Couch Chairs	-	\$50.00 \$50.00
		End table  TV stand	-	\$5.00 \$50.00
		Bed	-	\$100.00
		Dresser	-	\$50.00
		Nightstand	-	\$25.00
		Chair	-	\$75.00
		Computer chair Computer desk	-	\$25.00
		TV	-	\$50.00 \$50.00
		VCR	_	\$20.00
		Stereo	-	\$25.00

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Case No.	
	(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.	x			
6. Wearing apparel.		Clothing	-	\$200.00
7. Furs and jewelry.		Watch	-	\$20.00
8. Firearms and sports, photographic, and other hobby equipment.		Weights  Exercise equipment  Bicyle	-	\$25.00 \$50.00 \$300.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	x			
10. Annuities. Itemize and name each issuer.	x			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c); Rule 1007(b)).	x			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		Retirement - TRS	-	\$3,200.00

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Case No.	
	(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or
			Hus	Exemption
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	x			
14. Interests in partnerships or joint ventures. Itemize.	х			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	x			
16. Accounts receivable.	x			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	x			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	x			

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Case No.	
	(if known)

## **SCHEDULE B - PERSONAL PROPERTY**

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  22. Patents, copyrights, and other intellectual property. Give	x			
particulars.  23. Licenses, franchises, and other general intangibles. Give particulars.	x			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2001 Toyota Camry	-	\$3,225.00
26. Boats, motors, and accessories.	x			
27. Aircraft and accessories.	x			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			

In re	David	<b>Andrew</b>	Smith
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Case No.	
	(if known)

\$7,795.00

# **SCHEDULE B - PERSONAL PROPERTY**

Continuation Sheet No. 4

Type of Property	None	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest in Property, Without Deducting any Secured Claim or Exemption
31. Animals.	x			
32. Crops - growing or harvested. Give particulars.	x			
33. Farming equipment and implements.	х			
34. Farm supplies, chemicals, and feed.	х			
35. Other personal property of any kind not already listed. Itemize.	х			

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

Form	B6C
(04/07	7)

In re David Andre	w Smith
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Case No.	
	(If known)

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under: (Check one box)	Check if debtor claims a homestead exemption that exceeds \$136,875.
✓ 11 U.S.C. § 522(b)(2)  □ 11 U.S.C. § 522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Checking account at USAA	11 U.S.C. § 522(d)(5)	\$200.00	\$200.00
Couch	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
Chairs	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
End table	11 U.S.C. § 522(d)(3)	\$5.00	\$5.00
TV stand	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
Bed	11 U.S.C. § 522(d)(3)	\$100.00	\$100.00
Dresser	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
Nightstand	11 U.S.C. § 522(d)(3)	\$25.00	\$25.00
Chair	11 U.S.C. § 522(d)(3)	\$75.00	\$75.00
Computer chair	11 U.S.C. § 522(d)(3)	\$25.00	\$25.00
Computer desk	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
TV	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
VCR	11 U.S.C. § 522(d)(3)	\$20.00	\$20.00
Stereo	11 U.S.C. § 522(d)(3)	\$25.00	\$25.00
Clothing	11 U.S.C. § 522(d)(3)	\$200.00	\$200.00
		\$975.00	\$975.00

Form	B6C-Cont.
(04/07	7)

In re	• Da	vid	And	rew	Smith
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Case No.	
	(If known)

## **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Watch	11 U.S.C. § 522(d)(4)	\$20.00	\$20.00
Weights	11 U.S.C. § 522(d)(3)	\$25.00	\$25.00
Exercise equipment	11 U.S.C. § 522(d)(3)	\$50.00	\$50.00
Bicyle	11 U.S.C. § 522(d)(3)	\$300.00	\$300.00
Retirement - TRS	11 U.S.C. § 522(d)(12)	\$3,200.00	\$3,200.00
2001 Toyota Camry	11 U.S.C. § 522(d)(2)	\$0.00	\$3,225.00
		\$4,570.00	\$7,795.00

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Official Form 6D (10/06) In re **David Andrew Smith** 

Case No.	
	(if known)

### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

<u> </u>								
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCT #:			DATE INCURRED: NATURE OF LIEN:					
Andy Smith 3612 Park Meadow Bryan TX 77802		-	Purchase Money COLLATERAL: 2001 Toyota Camry REMARKS:				\$8,500.00	\$5,275.00
			VALUE: \$3,225.00					
			Subtotal (Total of this	Paç	je) :	>	\$8,500.00	\$5,275.00
			Total (Use only on last	paç	je) :	>	\$8,500.00	\$5,275.00
Nocontinuation sheets attached						•	(Report also on Summary of Schedules)	(If applicable, report also on Statistical

report also on Statistical Summary of Certain Liabilities and Related Data) Official Form 6E (04/07)

In re David Andrew Smith

Case No.	
	(If Known)

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

V	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
ΤY	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals  Claims of individuals up to \$2,425* for deposits for the purchase, lease or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and Certain Other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).
	Claims for Death or Personal Injury While Debtor Was Intoxicated
	Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).
	Administrative allowances under 11 U.S.C. Sec. 330 Claims based on services rendered by the trustee, examiner, professional person, or attorney and by any paraprofessional person employed by such person as approved by the court and/or in accordance with 11 U.S.C. Secs. 326, 328, 329 and 330.
	mounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of ustment.
	No continuation sheets attached

Case No.		
	(if known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

	19 0						
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  ACCT #: xxxxxx2405	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.  DATE INCURRED: 08/19/2005	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Acs/brazos 501 Bleecker St Utica, NY 13501	-	-	CONSIDERATION: Educational REMARKS:				\$17,510.00
ACCT#: xxxxxxxxxxxxxx0003  Aes/brazos/us Bank 1200 N 7th St  Harrisburg, PA 17102	_	-	DATE INCURRED: 03/15/2006 CONSIDERATION: Educational REMARKS:				\$99,094.00
ACCT #: xxxxxxxxxxxxxx0004  Aes/brazos/us Bank 1200 N 7th St  Harrisburg, PA 17102	_	-	DATE INCURRED: 03/15/2006 CONSIDERATION: Educational REMARKS:				\$38,508.00
ACCT #: xxxxxxxxxxx1N17  Brazos Educ 300 Highland Mall Austin, TX 78752		-	DATE INCURRED: 08/2002 CONSIDERATION: Educational REMARKS:				Unknown
ACCT #: xxxxxxxx9954 Capital One Po Box 85520 Richmond, VA 23285		-	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:				\$3,977.00
ACCT #: xxx5481  Carmax Auto Finance 2040 Thalbro St Richmond, VA 23230	-	-	DATE INCURRED: 07/16/2005 CONSIDERATION: Automobile REMARKS:				\$13,188.00
continuation sheets attached	•	(Re <sub>l</sub>	(Use only on last page of the completed Sch port also on Summary of Schedules and, if applicabl Statistical Summary of Certain Liabilities and Relat	edu le, c	ota ile in t	l > F.) he	\$172,277.00

Official Form 6F (10/06) - Cont. In re **David Andrew Smith** 

Case No.		
	(if known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	USPLITED	AMOUNT OF CLAIM
ACCT #: xxxxxxxxxxxxx0001 Cbc/aes/nct 1200 N 7th St Harrisburg, PA 17102		-	DATE INCURRED: 08/20/2002 CONSIDERATION: Educational REMARKS:				\$30,141.00
ACCT #: xxxxxxxxxxxxx0002 Cbc/aes/nct 1200 N 7th St Harrisburg, PA 17102		-	DATE INCURRED: 06/08/2004 CONSIDERATION: Educational REMARKS:				\$4,337.00
ACCT #: xxxxxxxx6717  Chase - Cc Po Box 100019 Kennesaw, GA 30156		-	DATE INCURRED: CONSIDERATION: Credit Card REMARKS:				\$798.00
ACCT #: xx1100  Household Bank/rhodes Furn Po Box 15519  Wilmington, DE 19850		-	DATE INCURRED: 01/16/2001 CONSIDERATION: Charge Account REMARKS:				Unknown
ACCT #: xxxxxxxxxx1867  MBNA c/o Portfolio Rc 287 Independence Virginia Beach, VA 23462	-	-	DATE INCURRED: 11/2006 CONSIDERATION: Factoring Company Account REMARKS:				\$5,121.00
ACCT #: 67  Mbna America Bank Pob 17054  Wilmington, DE 19884		-	DATE INCURRED: 10/15/2002 CONSIDERATION: Check Credit or Line of Credit REMARKS:				Unknown
Sheet no of continuation she Schedule of Creditors Holding Unsecured Nonpriority C		ıs	hed to Su  (Use only on last page of the completed Sch port also on Summary of Schedules and, if applicabl Statistical Summary of Certain Liabilities and Relate	edu e, o	otal le l n tl	l > F.) he	

Official Form 6F (10/06) - Cont. In re **David Andrew Smith** 

Case No.		
	(if known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPLITED		AMOUNT OF CLAIM
ACCT #: xxxxxxxxxxxxx2313 Sears/cbsd Po Box 6189 Sioux Falls, SD 57117		-	DATE INCURRED: 06/01/1989 CONSIDERATION: Credit Card REMARKS:					\$5,317.00
ACCT #: xxxxxxxxxxxx1748  Sherman Acquisitions (original Creditor: Po Box 740281  Houston, TX 77274		-	DATE INCURRED: 12/29/2006 CONSIDERATION: Factoring Company Account REMARKS:					\$447.00
ACCT #: xxxxxxxxxxxx9051  Sherman Acquisitions (original Creditor: Po Box 740281  Houston, TX 77274		-	DATE INCURRED: 12/29/2006 CONSIDERATION: 12/29/2006 Factoring Company Account REMARKS:					\$212.00
ACCT #: xxxxxxxxxxxx0616  Sherman Acquisitions (original Creditor: Po Box 740281  Houston, TX 77274		-	DATE INCURRED: 10/24/2006 CONSIDERATION: Factoring Company Account REMARKS:					\$2,576.00
ACCT #: xxxxxxxxxxxx2313  Sherman Acquisitions (original Creditor: Po Box 740281  Houston, TX 77274		-	DATE INCURRED: 04/25/2007 CONSIDERATION: Factoring Company Account REMARKS:					\$6,771.00
ACCT#: xxxxxx0555 Texaco/citibank Po Box 6003 Hagerstown, MD 21747		-	DATE INCURRED: 05/04/2000 CONSIDERATION: Credit Card REMARKS:					\$781.00
Sheet no. 2 of 3 continuation she Schedule of Creditors Holding Unsecured Nonpriority C		าร	hed to Si  (Use only on last page of the completed Schoort also on Summary of Schedules and, if applicab Statistical Summary of Certain Liabilities and Related	edu le, c	ota ıle ın t	l > F.) he	)	\$16,104.00

Case No.		
	(if known)	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	TNECNIENCO	INITOTIIDATED	DISPUTED	AMOUNT OF CLAIM
ACCT#: xxxxxxxxxxxxx0307  Texas A & M University  Pavilion Rm 113/stnd Bus  College Station, TX 77843		-	DATE INCURRED: 03/26/2007 CONSIDERATION: Educational REMARKS:				\$1,560.00
ACCT #: xxxxxxxxxxxxxx0107  Texas A & M University Pavilion Rm 113/stnd Bus College Station, TX 77843		-	DATE INCURRED: 01/25/2007 CONSIDERATION: Educational REMARKS:				\$1,317.00
ACCT #: xxxxxxxx9400 Usaa Fsb 10750 Mc Dermott Fwy San Antonio, TX 78288		-	DATE INCURRED: 12/01/2000 CONSIDERATION: Credit Card REMARKS:				\$3,562.00
ACCT #: xxxxxxxxxxxxx0001 Wells Fargo Ed Fin Svc 301 E 58th St N Sioux Falls, SD 57104		-	DATE INCURRED: 05/23/2005 CONSIDERATION: Educational REMARKS:				\$5,000.00
ACCT #: xxxxxxxxxxxxx0101 Wells Fargo Ed Fin Svc 301 E 58th St N Sioux Falls, SD 57104		-	DATE INCURRED: 05/22/2006 CONSIDERATION: Educational REMARKS:				\$4,344.00
ACCT #: xxxxxx2221 Wffnatbank		-	DATE INCURRED: 06/23/2007 CONSIDERATION: Credit Card REMARKS:				\$3,040.00
Sheet no3 of3 continuation shadeline of Creditors Holding Unsecured Nonpriority			l hed to	Subt	otal	>	\$18,823.00
Schools of Orealions Holding Offsecured NorthHolling	Oiaiii		(Use only on last page of the completed port also on Summary of Schedules and, if appl Statistical Summary of Certain Liabilities and I	l Sched icable,	on 1	F.) the	

Form E	36G
(10/05)	)

In re David Andrew Smith

Case No.		

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

☑ Check this box if debtor has no executory contracts or unexpired leases.

E chock the contract of chockery contract of all of	
NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

### Case 07-35559 Document 1 Filed in TXSB on 08/14/07 Page 19 of 43

Form B6H	
(10/05)	
In re David Andrew Smith	Case No.
	(if known)

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, indicate that by stating "a minor child" and do not disclose the child's name. See 11 U.S.C. § 112; Fed. Bankr. P. 1007(m).

$\overline{\mathbf{V}}$	Check this box if	debtor	has no	codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR

Official Form 6I (10/06)

In re <b>David</b>	Andrew	Smith
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Case No.	
-	(if known)

on Statistical Summary of Certain Liabilities and Related Data)

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child.

Debtor's Marital Status:		Dependents of	Debtor and Spo	use	
Divorced	Relationship:	Age:	Relationship:		Age:
Divoloca					
Employment	Debtor		Spouse		
Employment		aliat	Spouse 1		
Occupation Name of Employer	Communications Special Texas A&M University	alist			
How Long Employed	2 years				
Address of Employer	750 Agrommy Road MS	3 1255			
, . <b>,</b> .	College Station, TX 77				
	•				
INCOME: (Estimate of a	average or projected mo	onthly income at time case fi	iled)	DEBTOR	SPOUSE
		s (Prorate if not paid monthly)	-	\$3,085.00	
<ol><li>Estimate monthly over</li></ol>	ertime			\$0.00	
3. SUBTOTAL				\$3,085.00	
4. LESS PAYROLL DEI		h io =oro)		<b>\$240.20</b>	
b. Social Security Tax	udes social security tax if	b. is zero)		\$240.20 \$172.12	
c. Medicare	^			\$40.26	
d. Insurance				\$47.15	
e. Union dues				\$0.00	
	Mandatory			\$179.84	
g. Other (Specify)				\$0.00	
h. Other (Specify)				\$0.00 \$0.00	
<ul><li>i. Other (Specify)</li><li>j. Other (Specify)</li></ul>				\$0.00 \$0.00	
k. Other (Specify)				\$0.00	
5. SUBTOTAL OF PAY	ROLL DEDUCTIONS			\$679.57	
	ILY TAKE HOME PAY		<u> </u>	\$2,405.43	
		profession or farm (Attach de	Lailed stmt)	\$0.00	
8. Income from real pro		profession of farm (statement do	ianoa ourit,	\$0.00	
<ol><li>Interest and dividend</li></ol>				\$0.00	
		ayable to the debtor for the de	btor's use or	\$0.00	
that of dependents lis		-:6 )			
11. Social security or gov	vernment assistance (Spe	есіту):		\$0.00	
12. Pension or retiremen	t income			\$0.00	
13. Other monthly incom				•	
a				\$0.00	
				\$0.00	
C				\$0.00	
14. SUBTOTAL OF LINE				\$0.00	
	· ·	s shown on lines 6 and 14)		\$2,405.43	
		(Combine column totals from	line 15;	\$2,4	105.43
if there is only one de	ebtor repeat total reported	l on line 15) (Reno	rt also on Summ	ary of Schedules a	nd if applicable

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None.** 

Official Form 6J (10/06)

IN RE: David Andrew Smith CASE NO

CHAPTER 7

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at tin payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	ne case filed. Prorate any
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate sol labeled "Spouse."	nedule of expenditures
Rent or home mortgage payment (include lot rented for mobile home)	\$615.00
a. Are real estate taxes included? ☐ Yes ☑ No	
b. Is property insurance included? ☐ Yes ☑ No	
2. Utilities: a. Electricity and heating fuel	\$250.00
b. Water and sewer	\$30.00
c. Telephone	\$130.00
d. Other: Cable	\$80.00
3. Home maintenance (repairs and upkeep)	
4. Food	\$350.00
5. Clothing	\$45.00
6. Laundry and dry cleaning	\$15.00
7. Medical and dental expenses	\$100.00
8. Transportation (not including car payments)	\$250.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	
10. Charitable contributions	
11. Insurance (not deducted from wages or included in home mortgage payments)	
a. Homeowner's or renter's	
b. Life c. Health	
d. Auto	\$60.00
e. Other:	φου.σο
12. Taxes (not deducted from wages or included in home mortgage payments)	
Specify:	
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	
a. Auto: Car Payment	\$300.00
b. Other:	<b>4000.00</b>
c. Other:	
d. Other:	
14. Alimony, maintenance, and support paid to others:	
15. Payments for support of add'l dependents not living at your home:	
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	
17.a. Other: School Tuition	\$129.00
17.b. Other: Toiletries/Hygiene	\$50.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and,	\$2,404.00
if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	. ,
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following	g the filing of this
document: None.	
20 STATEMENT OF MONTHLY NET INCOME	
20. STATEMENT OF MONTHLY NET INCOME  a. Average monthly income from Line 15 of Schedule I	\$2,405.43
b. Average monthly expenses from Line 18 above	\$2,404.00
c. Monthly net income (a. minus b.)	\$1.43

Official Form 6 - Summary (10/06)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: David Andrew Smith CASE NO

CHAPTER 7

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$0.00		
B - Personal Property	Yes	5	\$7,795.00		
C - Property Claimed as Exempt	Yes	2		1	
D - Creditors Holding Secured Claims	Yes	1		\$8,500.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	4		\$247,601.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			\$2,405.43
J - Current Expenditures of Individual Debtor(s)	Yes	1			\$2,404.00
	TOTAL	18	\$7,795.00	\$256,101.00	

Official Form 6 - Statistical Summary (10/06)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: David Andrew Smith CASE NO

CHAPTER 7

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11, or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E) (whether disputed or undisputed)	\$0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E)	\$0.00
Student Loan Obligations (from Schedule F)	\$0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$0.00
TOTAL	\$0.00

#### State the following:

Average Income (from Schedule I, Line 16)	\$2,405.43
Average Expenses (from Schedule J, Line 18)	\$2,404.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	\$3,022.50

#### State the following:

- · · · · · · · · · · · · · · · · · · ·		
Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$5,275.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$0.00
4. Total from Schedule F		\$247,601.00
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$252,876.00

## Case 07-35559 Document 1 Filed in TXSB on 08/14/07 Page 24 of 43

Official Form 6 - Declaration (10/06)
In re **David Andrew Smith** 

# DECLARATION CONCERNING DEBTOR'S SCHEDULES DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have	read the foregoing summary and schedules, consisting	g of <b>20</b>
sheets, and that they are true and correct to the b	pest of my knowledge, information, and belief.	al shown on summary page as attached plus 2.)
Date <u>08/14/2007</u>	Signature/s/ David Andrew Smith David Andrew Smith	
Date	Signature	
	[If joint case, both spouses must sign.]	

Official Form 7 (04/07)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re:	David Andrew Smith	Case No.	
			(if known)

### STATEMENT OF FINANCIAL AFFAIRS

1. Income from employment or operation of business
--

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$17,500.00 2007 Year to date Income

\$18,222.00 2006 Annual Income

\$23,073.00 2005 Annual Income

### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 3. Payments to creditors

#### Complete a. or b., as appropriate, and c.

None

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

 $\sqrt{\phantom{a}}$ 

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,475. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

✓

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

 $\overline{\mathbf{Q}}$ 

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Official Form 7 - Cont. (04/07)

### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

ln re:	David Andrew Smith	Case No.	
			(if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 1

5. Repossessions	foreclosures and	returns
------------------	------------------	---------

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None  $\square$ 

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

None  $\overline{\mathbf{Q}}$ 

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 9. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

DATE OF PAYMENT,

NAME OF PAYER IF OTHER THAN DEBTOR AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

August 7, 2007

\$50.00

Money Management Int'I 9009 West Loop South Suite 700 Houston, TX 77096

NAME AND ADDRESS OF PAYEE

Roderick J. Arnic 1314 Texas Avenue

Suite 710

Houston, Texas 77002

\$1,400.00 08/14/2007

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Official Form 7 - Cont. (04/07)

### **UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION**

In re:	David Andrew Smith	Case No.	
			(if known)

	STATEMENT OF FINANCIAL AFFAIRS  Continuation Sheet No. 2			
None	b. List all property transferred by the debtor within similar device of which the debtor is a beneficiary.		mencement of this case to a self-settled trust or	
	11. Closed financial accounts			
None  V	brokerage houses and other financial institutions.	g the commencement of this case. Include is and share accounts held in banks, credit (Married debtors filing under chapter 12 or	checking, savings, or other financial accounts, unions, pension funds, cooperatives, associations,	
	12. Safe deposit boxes			
None		ried debtors filing under chapter 12 or chapt	ash, or other valuables within one year immediately ter 13 must include boxes or depositories of either or joint petition is not filed.)	
	13. Setoffs			
None ✓	List all setoffs made by any creditor, including a bacase. (Married debtors filing under chapter 12 or opetition is filed, unless the spouses are separated	chapter 13 must include information concern	within 90 days preceding the commencement of this ning either or both spouses whether or not a joint	
	14. Property held for another person			
None  V	List all property owned by another person that the	debtor holds or controls.		
	15. Prior address of debtor			
None	None If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.			
	ADDRESS	NAME USED	DATES OF OCCUPANCY	
	Andy Smith 3612 Park Meadow Bryan TX 77802	same		
	16. Spouses and Former Spouses			
None		ngton, or Wisconsin) within eight years imm	cluding Alaska, Arizona, California, Idaho, Louisiana, nediately preceding the commencement of the case, the the debtor in the community property state.	

**Lori Mulady Smith** 

Official Form 7 - Cont. (04/07)

17. Environmental Information

regulations regulating the cleanup of these substances, wastes, or material.

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

n re:	<b>David Andrew Smith</b>	Case No.	
			(if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 3

For the purpose of this question, the following definitions apply:
"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or to
substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None	a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or
$\overline{\checkmark}$	potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the
	Environmental Law:

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material.

Indicate the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

#### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

NAME, ADDRESS, AND LAST FOUR DIGITS OF SOC. SEC. NO. / COMPLETE EIN OR OTHER TAXPAYER I.D. NO.

**NATURE OF BUSINESS** 

BEGINNING AND ENDING DATES

World Wide Technologies

computer

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

Official Form 7 - Cont. (04/07)

### **UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION**

ln re:	David Andrew Smith	Case No.	
			(if known)

# STATEMENT OF FINANCIAL AFFAIRS Continuation Sheet No. 4

	The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.
	(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)
	19. Books, records and financial statements
None	a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.
	NAME AND ADDRESS DATES SERVICES RENDERED
	Debtor keeps own records
None	b. List all firms or individuals who within two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.
None	c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.
None  ✓	d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.
	20. Inventories
None  ✓	a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.
None	b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.
	21. Current Partners, Officers, Directors and Shareholders
None  ✓	a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.
None	b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.
	22. Former partners, officers, directors and shareholders
None  ✓	a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

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Official Form 7 - Cont. (04/07)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re:	David Andrew Smith	Case No.	
			(if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 5

23. Withdrawals from a partnership or distributions by a corporation

NOI16

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

24. Tax Consolidation Group

**☑** 

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.

### 25. Pension Funds

None

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

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Official Form 7 - Cont. (04/07)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re: David Andrew Smith Case No. (if known)

### STATEMENT OF FINANCIAL AFFAIRS

Continuation Sheet No. 6

I declare under penalty of perjury that I have read the answattachments thereto and that they are true and correct.	vers contained in th	e foregoing statement of financial affairs and any
Date <u>08/14/2007</u>	Signature	/s/ David Andrew Smith
Data	of Debtor	David Andrew Smith
Date	Signature of Joint Debtor	
	(if any)	

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. Sections 152 and 3571

Official Form 8 (10/05)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: David Andrew Smith CASE NO

CHAPTER 7

### **CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

☐ I have filed a schedule of asset	ets and liabilities which includes consu	mer debts secu	red by proper	ty of the estate.	
_	cutory contracts and unexpired leases				-
☐ I intend to do the following wit	h respect to the property of the estate	which secures t	hose debts or	is subject to a lea	se:
Description of Secured Property	Creditor's Name	Property will be surrendered	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
2001 Toyota Camry	Andy Smith 3612 Park Meadow Bryan TX 77802				Ø
Description of Leased Property	Lessor's Name	Lease will assumed purs to 11 U.S. § 362(h)(1)	suant C.		
None					
Date <u>08/14/2007</u>	Signature	/s/ David Andr David Andrew S	ew Smith Smith		
Data	Signatura				

B201 (10/05)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: David Andrew Smith

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

# <u>Chapter 7:</u> Liquidation (\$155 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$209) 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose

debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13:</u> Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee, \$39 administrative fee: Total fee \$194)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under Chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

B201 (10/05)

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: David Andrew Smith

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### Chapter 11: Reorganization (\$800 filing fee, \$39 administrative fee: Total fee \$839)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### Certificate of Compliance with § 342(b) of the Bankruptcy Code

		1
l,	Roderick J. Arnic	, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice
required	d by § 342(b) of the Bankruptcy Code.	
/s/ Rod	erick J. Arnic	
Roderic	k J. Arnic, Attorney for Debtor(s)	
Bar No.	: 24004529	
Garner	& Arnic, LLP	
1314 Te	exas Avenue	
Suite 7	10	
Houston	n, Texas 77002	
Phone:	(713) 224-1774	
Fax: (7	13) 224-1780	

### Certificate of the Debtor

I (We), the debtor(s), affirm that I (we) have received and read this notice.

E-Mail: RodArnic@birch.net

David Andrew Smith	X /s/ David Andrew Smith	08/14/2007
	Signature of Debtor	Date
Printed Name(s) of Debtor(s)	x	
Case No. (if known)	Signature of Joint Debtor (if any)	Date

Page 2

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### **UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION**

CASE NO IN RE: David Andrew Smith

CHAPTER 7

		DISCLO	· · · · · ·	- COMPENSATION	SIT OF ALLOINE	LI I OK DEDIOK
	that compe	ensation paid to nendered or to be r	ne within on	ne year before the filing	of the petition in bankı	orney for the above-named debtor(s) a uptcy, or agreed to be paid to me, for in connection with the bankruptcy case
	For legal s	services, I have a	greed to acc	cept:	Fixed Fee:	\$1,400.00
	Prior to the	e filing of this state	ement I hav	re received:		<del></del> \$1,400.00
	Balance D	ue:				\$0.00
2.	The source	e of the compens	ation paid to	o me was:		
		Debtor	П	Other (specify)		
3	_	e of compensatio	n to be naid			
Ο.	FINE COLLIN		=	Other (specify)		
4.		e not agreed to sh ciates of my law fir		ove-disclosed compens	ation with any other pe	rson unless they are members and
	assoc		rm. A copy			or persons who are not members or ames of the people sharing in the
		or the above-discl	osed fee, I	have agreed to render	legal service for all asr	acts of the hankruntov case, including:
	bankruptcy b. Prepara	y; ation and filing of	any petition	uation, and rendering a	dvice to the debtor in d	etermining whether to file a petition in
	bankruptcy b. Prepara c. Repres	y; ation and filing of entation of the de	any petition btor at the	uation, and rendering a	dvice to the debtor in d s of affairs and plan wl d confirmation hearing	etermining whether to file a petition in nich may be required; , and any adjourned hearings thereof;
	bankruptcy b. Prepara c. Repres	y; ation and filing of entation of the de	any petition btor at the	uation, and rendering a n, schedules, statement meeting of creditors an bove-disclosed fee doe	dvice to the debtor in d s of affairs and plan wl d confirmation hearing	etermining whether to file a petition in nich may be required; , and any adjourned hearings thereof;
6.	bankruptcy b. Prepara c. Repres By agreem	y; ation and filing of entation of the de nent with the debt that the foregoin	any petition botor at the for(s), the al	uation, and rendering a n, schedules, statement meeting of creditors and bove-disclosed fee doe CERTIF	dvice to the debtor in descriptions of affairs and plan when descriptions are not include the follow-	etermining whether to file a petition in nich may be required; , and any adjourned hearings thereof;
6.	bankruptcy b. Prepara c. Repres By agreem	y; ation and filing of entation of the de nent with the debt that the foregoin	any petition bettor at the for(s), the al	cuation, and rendering a statement in, schedules, statement meeting of creditors and bove-disclosed fee doe CERTIF lete statement of any a ankruptcy proceeding.	dvice to the debtor in descriptions of affairs and plan when descriptions are not include the follow-	etermining whether to file a petition in nich may be required; and any adjourned hearings thereof; ving services:

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Official Form 22A (Chapter 7) (04/07)

In re: David Andrew Smith

Case	Nh	ım	ho	r.
Case	111	ull	me	Η.

According to the calculations required by this statement:					
☐ The presumption arises.					
The presumption does not arise.					
(Check the box as directed in Parts I, III, and VI of this statement.)					

### CHAPTER 7 STATEMENT OF CURRENT MONTHLY INCOME AND MEANS-TEST CALCULATION

In addition to Schedule I and J, this statement must be completed by every individual Chapter 7 debtor, whether or not filing jointly, whose debts are primarily consumer debts. Joint debtors may complete one statement only.

		Part I. EXCLUSION	FOR DISABLED VETERANS	<b>3</b>	
	If you are a disabled veteran described in the Veteran's Declaration in this Part I, (1) check the box at the beginning of the Veteran's Declaration, (2) check the box for "The presumption does not arise" at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.				
1	defir	Veteran's Declaration. By checking this box, I ched in 38 U.S.C. § 3741(1)) whose indebtedness ched in 10 U.S.C. § 101(d)(1)) or while I was perform	occurred primarily during a period in w	hich I was on active	duty (as
		Part II. CALCULATION OF MONT	THLY INCOME FOR § 707(b)(7	7) EXCLUSION	
2	<ul> <li>Marital/filing status. Check the box that applies and complete the balance of this part of this statement as directed.</li> <li>a. ☑ Unmarried. Complete only Column A ("Debtor's Income") for Lines 3-11.</li> <li>b. ☐ Married, not filing jointly, with declaration of separate households. By checking this box, debtor declares under penalty of perjury: "My spouse and I are legally separated under applicable non-bankruptcy law or my spouse and I are living apart other than for the purpose of evading the requirements of § 707(b)(2)(A) of the Bankruptcy Code."</li> </ul>				
		gures must reflect average monthly income receiv ng the six calendar months prior to filing the bankr		Column A	Column B
	of th mon	e month before the filing. If the amount of monthly ths, you must divide the six-month total by six, and copriate line.	Debtor's Income	Spouse's Income	
3	Gro	ss wages, salary, tips, bonuses, overtime, com	\$3,022.50		
4	Line num	me from the operation of a business, profession and enter the difference in the appropriate columber less than zero. Do not include any part of a bas a deduction in Part V.	mn(s) of Line 4. Do not enter a		
	a.	Gross receipts	\$0.00		
	b.	Ordinary and necessary business expenses	\$0.00		
	c.	Business income	Subtract Line b from Line a	\$0.00	
5	diffe	t and other real property income. Subtract Line rence in the appropriate column(s) of Line 5. Do not include any part of the operating expenses V.	1		
	a.	Gross receipts	\$0.00		
	b.	Ordinary and necessary operating expenses	\$0.00		
	C.	Rent and other real property income	Subtract Line b from Line a	\$0.00	
6	Inte	rest, dividends, and royalties.		\$0.00	
7	Pension and retirement income.				
8	Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child or spousal suppor Do not include amounts paid by the debtor's spouse if Column B is completed.				

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	<b>Unemployment compensation.</b> Enter the amount in the However, if you contend that unemployment compensation.		• •				
	spouse was a benefit under the Social Security Act, do						
9	compensation in Column A or B, but instead state the a	mount in the space	e below:				
	Unemployment compensation claimed to be a	Debtor	Spouse				
	benefit under the Social Security Act	\$0.00		\$0.00			
	<b>Income from all other sources.</b> If necessary, list addition <b>Do not include</b> any benefits received under the Social Statistics a victim of a war crime, crime against humanity, or as a	Security Act or pay	ments received as				
10	domestic terrorism. Specify source and amount.						
	a. b.						
	Total and enter on Line 10			\$0.00			
11	Subtotal of Current Monthly Income for § 707(b)(7).	Add Lines 3 thru 1	0 in Column A,				
11	and, if Column B is completed, add Lines 3 through 10 i		. ,	\$3,022.50			
12	Total Current Monthly Income for § 707(b)(7). If Column 11, Column A to Line 11, Column B, and enter the						
	completed, enter the amount from Line 11, Column A.			\$3	,022.50		
	Part III. APPLICATIO	N of § 707(b)(	7) EXCLUSION				
13	Annualized Current Monthly Income for § 707(b)(7).		· ·	ne number 12			
	and enter the result. <b>Applicable median family income.</b> Enter the median	family income for t	ho applicable state	and household	\$36,270.00		
14	size. (This information is available by family size at www court.)	-					
	a. Enter debtor's state of residence: Texas	b. Ente	r debtor's household	d size: <b>1</b>	\$34,418.00		
	Application of Section 707(b)(7). Check the applicab	le box and proceed	d as directed.				
15	The amount on Line 13 is less than or equal to t arise" at the top of page 1 of this statement, and con	mplete Part VIII; do	o not complete Parts	S IV, V, VI, or VII.			
	The amount on Line 13 is more than the amount on Line 14. Complete the remaining parts of this statement.  Complete Parts IV, V, VI, and VII of this statement only if required. (See Line 15.)						
	Part IV. CALCULATION OF CURF			<del>-</del>			
16		CLIVI MONTH	I INCOME FO	X 9 707 (D)(2)	\$3,022.50		
10							
17	Marital adjustment. If you checked the box at Line 2.c, enter the amount of the income listed in Line 11, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. If you did not check the box at Line 2.c, enter zero.						
18	Current monthly income for § 707(b)(2). Subtract Line 17 from Line 16 and enter the result. \$3,022.50						
	Part V. CALCULATION OF DED						
	Subpart A: Deductions under Stan			· · · ·			
19	National Standards: food, clothing, household supp Enter "Total" amount from IRS National Standards for A size and income level. (This information is available at v bankruptcy court.)	llowable Living Exp	penses for the appli	cable family	\$556.00		
20A	bankruptcy court.)  Local Standards: housing and utilities; non-mortgage expenses. Enter the amount of the IRS Housing and Utilities Standards: non-mortgage expenses for the applicable county and family size. (This						

20B	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and family size (this information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 42; subtract Line b from Line a and enter the result in Line 20B. DO NOT ENTER AN AMOUNT LESS THAN ZERO.				
	a. IRS Housing and Utilities Standards; mortgage/rental expense \$744.00				
	b. Average Monthly Payment for any debts secured by your home, if any, as stated in Line 42 \$0.00				
	c. Net mortgage/rental expense Subtract Line b from Line a.	\$744.00			
21	Local Standards: housing and utilities; adjustment. If you contend that the process set out in Lines 20A and 20B does not accurately compute the allowance to which you are entitled under the IRS Housing and Utilities Standards, enter any additional amount to which you contend you are entitled, and state the basis for your contention in the space below:				
22	Local Standards: transportation; vehicle operation/public transportation expense.  You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation.  Check the number of vehicles for which you pay the operating expenses or for which the operating expenses				
22	are included as a contribution to your household expenses in Line 8.   © 1 © 2 or more  Enter the amount from IRS Transportation Standards, Operating Costs & Public Transportation Costs for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (This	\$260.00			
	information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)				
23	Local Standards: transportation ownership/lease expense; Vehicle 1.  Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.)  [Insert in Line a below, the amount of the IRS Transportation Standards, Ownership Costs, First Car (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 42; subtract Line b from Line a and enter the result in Line 23. DO NOT ENTER AN AMOUNT LESS THAN ZERO.				
	a. IRS Transportation Standards, Ownership Costs, First Car \$471.00				
	b. Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 42 \$141.67				
	c. Net ownership/lease expense for Vehicle 1 Subtract Line b from Line a.	\$329.33			
24	Local Standards: transportation ownership/lease expense; Vehicle 2.  Complete this Line only if you checked the "2 or more" Box in Line 23.  Enter, in Line a below, the amount of the IRS Transportation Standards, Ownership Costs, Second Car (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 42; subtract Line b from Line a and enter the result in Line 24. DO NOT ENTER AN AMOUNT LESS THAN ZERO.  a. IRS Transportation Standards, Ownership Costs, Second Car				
	b. Average Monthly Payments for debts secured by Vehicle 2, as stated in Line 42				
	c. Net ownership/lease expense for Vehicle 2 Subtract Line b from Line a.				
25	Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state, and local taxes, other than real estate and sales taxes, such as income taxes, self employment taxes, social security taxes, and Medicare taxes. DO NOT INCLUDE REAL ESTATE OR				
	SALES TAXES.	\$480.75			
26	Other Necessary Expenses: mandatory payroll deductions. Enter the total average monthly payroll deductions that are required for your employment, such as mandatory retirement contributions, union dues, and uniform costs. DO NOT INCLUDE DISCRETIONARY AMOUNTS, SUCH AS NON-MANDATORY 401(K) CONTRIBUTIONS.	\$193.44			
27	Other Necessary Expenses: life insurance. Enter average monthly premiums that you actually pay for term life insurance for yourself. DO NOT INCLUDE PREMIUMS FOR INSURANCE ON YOUR DEPENDENTS, FOR WHOLE LIFE OR FOR ANY OTHER FORM OF INSURANCE.	\$3.30			

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28	Other Necessary Expenses: court-ordered payments. Enter the total monthly amount that you are required to pay pursuant to court order, such as spousal or child support payments. DO NOT INCLUDE PAYMENTS ON PAST DUE SUPPORT OBLIGATIONS INCLUDED IN LINE 44.			
29	Other Necessary Expenses: education for employment or for a physically or mentally challenged child.  Enter the total monthly amount that you actually expend for education that is a condition of employment and for education that is required for a physically or mentally challenged dependent child for whom no public education providing similar services is available.			
30	Other Necessary Expenses: childcare. Enter the average monthly amoun childcaresuch as baby-sitting, day care, nursery and preschool. DO NOT II EDUCATIONAL PAYMENTS.	t that you actually expend on NCLUDE OTHER	\$0.00	
31	Other Necessary Expenses: health care. Enter the average monthly amount health care expenses that are not reimbursed by insurance or paid by a heal INCLUDE PAYMENTS FOR HEALTH INSURANCE OR HEALTH SAVINGS	th savings account. DO NOT	\$70.00	
32	Other Necessary Expenses: telecommunication services. Enter the averactually pay for telecommunication services other than your basic home telephones, pagers, call waiting, caller id, special long distance, or internet service for your health and welfare or that of your dependents. DO NOT INCLUDE ADEDUCTED.	phone servicesuch as cell ceto the extent necessary	\$130.00	
33	Total Expenses Allowed under IRS Standards. Enter the total of Lines 19	through 32.	\$3,131.82	
	Subpart B: Additional Expense Deduction Note: Do not include any expenses that you have	re listed in Lines 19-32		
	Health Insurance, Disability Insurance, and Health Savings Account Expanser average monthly amounts that you actually pay for yourself, your spouse, or categories.			
34	a. Health Insurance	\$36.06		
	b. Disability Insurance	\$7.79		
	c. Health Savings Account	\$0.00		
		Total: Add Lines a, b and c	\$43.85	
35	Continued contributions to the care of household or family members. Ethat you will continue to pay for the reasonable and necessary care and suppill, or disabled member of your household or member of your immediate fami such expenses.	port of an elderly, chronically	\$0.00	
36	<b>Protection against family violence.</b> Enter any average monthly expenses t maintain the safety of your family under the Family Violence Prevention and applicable federal law. The nature of these expenses is required to be kept of	Services Act or other	\$0.00	
37	Home energy costs. Enter the average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities, that you actually expend for home energy costs. YOU MUST PROVIDE YOUR CASE TRUSTEE WITH DOCUMENTATION DEMONSTRATING THAT THE ADDITIONAL AMOUNT CLAIMED IS REASONABLE AND NECESSARY.			
38	Education expenses for dependent children less than 18. Enter the average monthly expenses that you actually incur, not to exceed \$137.50 per child, in providing elementary and secondary education for your dependent children less than 18 years of age. YOU MUST PROVIDE YOUR CASE TRUSTEE WITH DOCUMENTATION DEMONSTRATING THAT THE AMOUNT CLAIMED IS REASONABLE AND NECESSARY AND NOT ALREADY ACCOUNTED FOR IN THE IRS STANDARDS.			
39	Additional food and clothing expense. Enter the average monthly amount by which your food and clothing expenses exceed the combined allowances for food and apparel in the IRS National Standards, not to exceed five percent of those combined allowances. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) YOU MUST PROVIDE YOUR CASE TRUSTEE WITH DOCUMENTATION DEMONSTRATING THAT THE ADDITIONAL AMOUNT CLAIMED IS REASONABLE AND NECESSARY.			
40	Continued charitable contributions. Enter the amount that you will continue cash or financial instruments to a charitable organization as defined in 26 U.		\$0.00	
41	Total Additional Expense Deductions under § 707(b). Enter the total of Li	nes 34 through 40.	\$43.85	

		Suk	ppart C: Deductions for Debt Pa	yment		
	you Payr Crec inclu	own, list the name of creditor, identify ment. The Average Monthly Paymen ditor in the 60 months following the fili	For each of your debts that is secured the property securing the debt, and to the total of all amounts contractuating of the bankruptcy case, divided by required by the mortgage. If necess	state the Average Monthly ally due to each Secured y 60. Mortgage debts should		
42		Name of Creditor	Property Securing the Debt	60-month Average Payment		
	a.	Andy Smith	2001 Toyota Camry	\$141.67		
	b.	-				
	c.					
			f any of the debts listed in Line 42 are	Total: Add Lines a, b and c.	\$141.67	
	in ac amo fored	Idition to the payments listed in Line of unt would include any sums in defaul closure. List and total any such amou parate page.	of any amount (the "cure amount") the 42, in order to maintain possession of that must be paid in order to avoid unts in the following chart. If necessa	f the property. The cure repossession or ry, list additional entries on		
		Name of Creditor	Property Securing the Debt	1/60th of the Cure Amount		
43	a. b.					
43	C.					
				Total: Add Lines a, b and c	\$0.00	
44	_	ments on priority claims. Enter the alimony claims), divided by 60.	total amount of all priority claims (inc	luding priority child support	\$0.00	
	<b>Cha</b> follow	pter 13 administrative expenses.	If you are eligible to file a case under e a by the amount in Line b, and enter	· · · · · · · · · · · · · · · · · · ·		
	a.	Projected average monthly Chapte	r 13 plan payment.	\$155.17		
45	b.	Current multiplier for your district as issued by the Executive Office for L information is available at www.usd the bankruptcy court.)	s determined under schedules Inited States Trustees. (This			
		the bankruptcy court.)		8.7 %		
	C.	Average monthly administrative exp	pense of Chapter 13 case	Total: Multiply Lines a and b	\$13.50	
46	Tota	I Deductions for Debt Payment. E	nter the total of Lines 42 through 45.		\$155.17	
		Subpart D	Total Deductions Allowed und	er § 707(b)(2)		
47	Tota	l of all deductions allowed under §	707(b)(2). Enter the total of Lines	33, 41, and 46.	\$3,330.84	
		Part VI. DETE	ERMINATION OF § 707(b)(2)	PRESUMPTION		
48	Ente	er the amount from Line 18 (Curren	t monthly income for § 707(b)(2))		\$3,022.50	
49			of all deductions allowed under § 7	07(b)(2))	\$3,330.84	
50	Monthly disposable income under § 707(b)(2). Subtract Line 49 from Line 48 and enter the result. (\$308)					

	Part VI. DETERMINATION OF § 707(b)(2) PRESUMPTION				
48	Enter the amount from Line 18 (Current monthly income for § 707(b)(2))	\$3,022.50			
49 Enter the amount from Line 47 (Total of all deductions allowed under § 707(b)(2))		\$3,330.84			
50	Monthly disposable income under § 707(b)(2). Subtract Line 49 from Line 48 and enter the result.	(\$308.34)			
51	60-month disposable income under § 707(b)(2). Multiply the amount in Line 50 by the number 60 and enter the result.	(\$18,500.40)			

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	Initial presumption determination. Ch	eck the applicable box and proceed as directed.				
	The amount on Line 51 is less than \$6,575. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII. Do not complete the remainder of Part VI.					
The amount set forth on Line 51 is more than \$10,950. Check the box for "The presumption arises" at the top of post of this statement, and complete the verification in Part VIII. You may also complete Part VII. Do not complete the remainder of Part VI.						
	The amount on Line 51 is at least through 55).	\$6,575, but not more than \$10,950. Complete the	remainder of Part V	I (Lines 53		
53	Enter the amount of your total non-pri	ority unsecured debt				
54	Threshold debt payment amount. Mult	iply the amount in Line 53 by the number 0.25 and e	enter the result.			
	Secondary presumption determination	<ol> <li>Check the applicable box and proceed as directed</li> </ol>	ed.			
55	The amount on Line 51 is less that top of page 1 of this statement, and	n the amount on Line 54. Check the box for "The percomplete the verification in Part VIII.	oresumption does no	ot arise" at the		
	<u> </u>	or greater than the amount on Line 54. Check the t, and complete the verification in Part VIII. You may	•	•		
	Part	VII: ADDITIONAL EXPENSE CLAIMS				
	and welfare of you and your family and th	monthly expenses, not otherwise stated in this form nat you contend should be an additional deduction from the list additional sources on a separate page. All figure expenses.	om your current moi	nthly income		
56	Ex	pense Description	Monthly A	mount		
	a.					
	b.					
	c.					
		Total: Add Lines a, b, and c				
	<del> </del>					
		Part VIII: VERIFICATION				
	I declare under penalty of perjury that the	e information provided in this statement is true and c sign.)	orrect.			
57	Date: <b>08/14/2007</b>	Signature: /s/ David Andrew Smith				
		(Debte	or)			
	Date:	Signature:				
		( loint Debto	r if any)			

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## **Current Monthly Income Calculation Details**

In re: David Andrew Smith Case Number: Chapter: 7

### 3. Gross wages, salary, tips, bonuses, overtime commissions.

Debtor or Spouse's Income	Description (if available)						
	6 Months Ago	5 Months Ago	4 Months Ago	3 Months Ago	2 Months Ago	Last Month	Avg. Per Month

 Debtor
 The Texas A&M University System

 \$2,810.00
 \$3,810.00
 \$2,810.00
 \$2,810.00
 \$2,810.00
 \$3,085.00
 \$3,022.50

# **Underlying Allowances**

In re: David Andrew Smith

Case Number: Chapter: 7

Median Income Information			
State of Residence	Texas		
Household Size	1		
Median Income per Census Bureau Data	\$34,418.00		

National Standards: Food, Clothing, Household Supplies, Personal Care, and Miscellaneous		
Region	US	
Family Size	1	
Gross Monthly Income	\$3,022.50	
Income Level	\$2,500.00 to \$3,333.00	
Food	\$292.00	
Housekeeping Supplies	\$32.00	
Apparel and Services	\$89.00	
Personal Care Products and Services	\$33.00	
Miscellaneous	\$110.00	
Additional Allowance for Family Size Greater Than 4	\$0.00	
Total	\$556.00	

Local Standards: Housing and Utilities		
State Name	Texas	
County or City Name	Brazos County	
Family Size	Family of 2 or less	
Non-Mortgage Expenses	\$365.00	
Mortgage/Rent Expense Allowance	\$744.00	
Minus Average Monthly Payment for Debts Secured by Home	\$0.00	
Equals Net Mortgage/Rental Expense	\$744.00	
Housing and Utilities Adjustment	\$0.00	

Lo	cal Standards: Transportatio	n; Vehicle Operati	ion/Public Transportation	
Transportation Region		South Region		
Number of Vehicles Operated		1	1	
Allowance		\$260.00		
	Local Standards: Transp	ortation; Ownersh	nip/Lease Expense	
Transportation Region		South Region		
Number of Vehicles with C	nber of Vehicles with Ownership/Lease Expense		1	
First Car		•	Second Car	
Allowance	\$471.00			
Minus Average Monthly Payment for Debts Secured by Vehicle	\$141.67			
Equals Net Ownership / Lease Expense	\$329.33			